



**Service of Process
Transmittal**

06/23/2021

CT Log Number 539782486

TO: Kim Lundy- Email
Walmart Inc.
702 SW 8TH ST
BENTONVILLE, AR 72716-6209

RE: Process Served in Texas

FOR: Wal-Mart Stores Texas, LLC (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Morgan Craig, Pltf. vs. Wal-Mart Stores Texas, LLC, Dft.

DOCUMENT(S) SERVED: Citation, Certificate, Original Petition

COURT/AGENCY: 400th Judicial District Court, Fort Bend County, TX
Case # 21DCV284442

NATURE OF ACTION: Personal Injury - Slip/Trip and Fall - 06/26/2020 - 22402 Bellaire Boulevard,
Richmond, Fort Bend County, Texas

ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX

DATE AND HOUR OF SERVICE: By Certified Mail on 06/23/2021 postmarked: "Illegible"

JURISDICTION SERVED : Texas

APPEARANCE OR ANSWER DUE: By 10:00 a.m. on Monday next following the expiration of 20 days after service

ATTORNEY(S) / SENDER(S): Jordan A. Glaze
Glaze | Garrett
P.O. Box 1599
Gilmer, TX 75644
903-843-2323

ACTION ITEMS: CT has retained the current log, Retain Date: 06/23/2021, Expected Purge Date:
06/28/2021

Image SOP

REGISTERED AGENT ADDRESS: C T Corporation System
1999 Bryan Street
Suite 900
Dallas, TX 75201
877-564-7529
MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

EXHIBIT A

BEVERLEY MOORE WALKER
FORT BEND COUNTY
DISTRICT CLERK
301 JACKSON
RICHMOND, TX 77469

9414 7266 9904 2162 3253 61

RETURN RECEIPT REQUESTED

OFFICIAL BUSINESS

Penalty for Private Use

WAL-MART STORES TEXAS, LLC
BY SERVING ITS REGISTERED AGENT
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201

**SERVICE FEE COLLECTED
BY DISTRICT CLERK**

THE STATE OF TEXAS

CITATION

**TO: WAL-MART STORES TEXAS, LLC
BY SERVING ITS REGISTERED AGENT C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS TX 75201**

NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on Monday next following the expiration of twenty days after you were served this citation and **PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE** filed on **JUNE 17, 2021**, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

The case is presently pending before the **400TH JUDICIAL DISTRICT COURT** of Fort Bend County sitting in Richmond, Texas. It bears cause number **21-DCV-284442** and is styled:

CRAIG MORGAN VS WAL-MART STORES TEXAS, LLC

The name and address of the attorney for **PLAINTIFF** is:

**JORDAN A. GLAZE
GLAZE GARRETT PLLC
PO BOX 1599
GILMER TX 75644
903-843-2323**

The nature of the demands of said **PLAINTIFF** is shown by a true and correct copy of the **PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE** accompanying this citation and made a part hereof.

If this Citation is not served, it shall be returned unserved. Issued under my hand and seal of said Court, at Richmond, Texas, on this the 18th day of June, 2021.

**DISTRICT CLERK BEVERLEY MCGREW WALKER
FORT BEND COUNTY, TEXAS**

Physical Address:

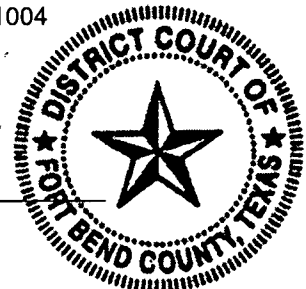
1422 Eugene Heimann Circle, Room 31004
Richmond, Texas 77469

Mailing Address:

301 Jackson Street, Room 101
Richmond, Texas 77469

By: 

Deputy District Clerk Sabrina Schiro
Telephone: (281) 633-7634



SERVICE

21-DCV-284442
Craig Morgan vs Wal-Mart Stores Texas, LLC

400th Judicial District Court

CERTIFICATE OF DELIVERY BY CERTIFIED MAIL

Came to hand on the _____ at _____ o'clock and executed _____
_____, on the _____, by delivering to the within named _____
_____ by registered or certified mail, with delivery - restricted to addressee only, return receipt requested, a true copy of this
citation together with the accompanying copy of the petition were attached thereto.

Fee..... \$ _____

CMRRR# _____

**DISTRICT CLERK BEVERLEY MCGREW WALKER
FORT BEND COUNTY, TEXAS**

Physical Address:

1422 Eugene Heimann Circle, Room 31004
Richmond, Texas 77469

Mailing Address:

301 Jackson Street, Room 101
Richmond, Texas 77469

By: _____
Deputy District Clerk Sabrina Schiro

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable, or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is _____, my date of birth is _____
(First, Middle, Last)

_____, and my address is _____
(Street, City, Zip)

_____."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____,

on the _____ day of _____.

Declarant / Authorized Process Server

(Id # & expiration of certification)

SERVICE

Citation (By Certified Mail) issued to Wal-Mart Stores Texas, LLC on 6/18/2021.

NO. 21-DCV-284442

CRAIG MORGAN	§	IN THE DISTRICT COURT OF
	§	
V.	§	FORT BEND COUNTY, TEXAS
	§	
WAL-MART STORES TEXAS,	§	Fort Bend County - 400th Judicial District Court
LLC	§	____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff CRAIG MORGAN, in the above-styled and numbered cause, complaining of Defendant WAL-MART STORES TEXAS, LLC, hereinafter referred to as "Defendant" and for cause of action would respectfully show unto this Honorable Court the following:

**I.
DISCOVERY CONTROL PLAN**

Discovery is intended to be conducted under Level 3 of Texas Rule of Civil Procedure 190.

**II.
PARTIES**

Plaintiff, CRAIG MORGAN, is an individual who resides in Upshur County, Texas.

Defendant WAL-MART STORES TEXAS, LLC is a Foreign Limited Liability Company doing business in the State of Texas for the purpose of profit and may be served with process and citation by serving its registered agent: C T Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201. **SERVICE IS REQUESTED VIA CERTIFIED U.S. MAIL, RETURN RECEIPT REQUESTED, ISSUED BY THE FORT BEND COUNTY DISTRICT CLERK.**

III. JURISDICTION AND VENUE

Venue is proper and permissive in FORT BEND County, Texas as the incident which makes the basis of this suit occurred in FORT BEND County, Texas. Further, Plaintiff suffered damages within the jurisdictional limits of the Court. Plaintiff reserves the right to amend said pleading should additional facts become known which affect this evaluation.

IV. BACKGROUND FACTS

Plaintiff would show that on or about June 26, 2020, Plaintiff was a vendor of Defendant's business, and entered into Sam's Club store for business purposes. Defendant WAL-MART STORES TEXAS, LLC owned and operated the store located at 22402 Bellaire Boulevard, Richmond, Fort Bend County, Texas. Plaintiff was walking through a foyer when he slipped and fell on water which had accumulated on the floor.

Accordingly, Plaintiff was a business invitee to whom Defendant owed a duty to use ordinary care in making its premises reasonably safe and/or warning the Plaintiff of any dangerous conditions and/or activities existing upon said premises. Plaintiff's fall discussed above proximately caused the injuries and damages more specifically described herein.

**V.
PREMISES LIABILITY**

On the occasion in question, the Defendant, acting through its agents, servants, and/or employees who were at all times acting within the course and scope of their employment committed acts and/or omissions that constituted negligence which proximately caused the incident in question; to wit:

1. In failing to maintain the premises in question in a reasonably safe condition and free of hazards to Plaintiff and other invitees entering the premises;
2. In failing to correct the unreasonably dangerous condition which was created by the box or pallet on the floor of the premises in question;
3. In failing to warn invitees, including the Plaintiff of the dangerous condition of the premises in question;
4. In failing to properly inspect the premises in question to discover the unreasonably dangerous condition created by the broken jar in question;
5. In failing to properly train its agents, servants, and/or employees regarding the proper manner in which to make the premises reasonably safe;
6. In failing to implement proper policies, rules, and/or procedures to make its premises reasonably safe;
7. In creating the condition;
8. In failing to enforce proper policies, rules, and/or procedures to make its premises reasonably safe; and
9. In failing to properly warn the public of the dangerous condition.

Each of these acts and omissions, singularly or in combination with others, constitute negligence. Such acts and omissions proximately caused the occurrence made the basis of this suit and the resulting injuries and damages suffered by Plaintiff.

In sum, Defendant is liable because at time of trial, Plaintiff will show that (1) plaintiff was an invitee; (2) defendant exercised control over the premises; (3) a dangerous premises condition existed; and (4) defendant had actual or constructive knowledge of the dangerous condition, and the above proximately caused Plaintiff's injuries.

VI. DAMAGES

As a direct and proximate result of the occurrence made the basis of this lawsuit, and Defendant's acts as described herein, Plaintiff suffered and endured anxiety, pain, and illness resulting in damages more fully set forth below.

As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff incurred the following damages:

- A. Reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff for the necessary care and treatment of the injuries resulting from the accident;
- B. Reasonable and necessary medical care and expenses which will, in all reasonable probability, be incurred in the future;
- C. Physical pain and suffering in the past;
- D. Mental anguish in the past;
- E. Physical pain and suffering in the future;
- F. Mental anguish in the future;

- G. Physical impairment in the past;
- H. Physical impairment which, in all reasonable probability, will be suffered in the future;
- I. Loss of earnings in the past;
- J. Loss of earning capacity which will, in all probability, be incurred in the future;
- K. Physical disfigurement in the past; and
- L. Physical disfigurement which will, in all probability, be suffered in the future.

As discussed above, Plaintiff suffered not only easily quantifiable economic damages, but also other forms of damages such as mental anguish and physical pain and will likely continue to suffer these damages in the future. Plaintiff is required by Texas law to state the maximum amount of damages he seeks. Plaintiff believes that when the totality of his damages are considered, along with the wrongful nature of Defendant's conduct, it is possible that a fact finder may ultimately decide that Plaintiff's damages exceed two hundred fifty thousand dollars (\$250,000.00) but it is unlikely that a fact finder would decide that Plaintiff's damages exceed one million dollars (\$1,000,000.00). Plaintiff therefore sues for a sum in excess of two hundred fifty thousand dollars but not to exceed one million dollars to be determined by the fact finder in its sole discretion.

VII. INTEREST

Plaintiff seeks pre- and post-judgment interest at the highest legal rate allowed by law.

**VIII.
RULE 194 REQUESTS FOR DISCLOSURE**

Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Defendant is hereby requested to disclose, in a manner contemplated by the TRCP, the information or material described in Rule 194.2.

**IX.
PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendant, WAL-MART STORES TEXAS, LLC, be cited to appear and answer herein and that upon final trial, Plaintiff has judgment against Defendant for actual and special damages described above in the full amount allowed by law, together with costs of court, pre-judgment and post-judgment interest, and for relief, both general and special, at law or in equity, to which Plaintiff is justly entitled to receive.

Respectfully Submitted,

GLAZE | GARRETT

/s/ Jordan Glaze

Jordan A. Glaze

Texas Bar No. 24059826

Josh Garrett

Texas Bar No. 24067616

Greg Geddie

Texas Bar No. 24116419

P.O. Box 1599

Gilmer, Texas 75644

T: 903-843-2323/ F: 888-511-1225

j.glaze@glazegarrett.com

ATTORNEYS FOR PLAINTIFF